

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – PJP – GADWAL - Mahabubnagar District – Atmakur (Mandal) Mulamalla (Village) – O.P.No.35/1995 - Sanction of decretal charges of **Rs.81,626/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 192

DATE:08.04.2010

Read :

- 1) From the Special Collector, LA, Bheema Project, Mahabubnagar Lr.No.E1/PJP/589/09, dated:23/10/2009.
- 2) From the Secy.to CCLA, AP, Hyd Lr.No.G1/1730/09, DT:15.03.10.

O R D E R:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.35/1995 pertaining to Mulamalla (V) Atmakur (M) of Mahabubnagar District. The then Land Acquisition Officer acquired lands for an extent of Ac.1-94 cents in the limits of Mulamalla (V) vide Award No.17/1987, dt:22.06.1987 by fixing the market value @Rs.6,500/- per acre. Aggrieved with the compensation awarded by the LAO, the Awardees have filed petitions U/s.18 seeking reference to the Civil Court. The Senior Civil Judge, Gadwal delivered its judgment on 23.09.2002 by enhancing the market value from Rs.6,500/- to Rs.19,000/- per acre. Aggrieving with the market value enhanced by the Sr.Civil Judge, Gadwal, the SDC, LA Unit, PJP, Gadwal had filed Appeal before the Hon'ble High Court of A.P, Hyd. The Hon'ble High Court of A.P, Hyd has granted interim stay orders on 24.01.2006 by depositing the half of the decretal charges. Accordingly, an amount of Rs.70,092/- was sanctioned and deposited in the court of the Sr.Civil Judge, Gadwal on 02.09.2006. Finally, the Hon'ble High Court of A.P, Hyderabad has dismissed the appeal on 16.10.2007 vide A.S.No.887/2003 by confirming the Lower Court orders.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.81,626/- (Rupees Eighty one thousand six hundred and twenty six only)** in respect of O.P.No.35/1995 pertaining to Mulamalla (V) Atmakur (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyd immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 - NSP- SH (27) - Canals and Distributaries - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.4770/F2(2)/2009-1, dated:16.12.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, Kurnool

The Chief Engineer, I & CAD, MBNR, Jalasoudha Buildings, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.28702/LA-III(A2)/2009

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER